



# **Interpersonal Violence Resource Guide For New Hampshire Media**

New Hampshire Governor's Commission on Domestic and Sexual Violence  
**2006**



# **Interpersonal Violence Resource Guide For New Hampshire Media**

---

# TABLE OF CONTENTS

---

INTRODUCTION .....	1
CONTACTS/RESOURCES	
<i>STATEWIDE SPOKESPERSON CONTACTS</i> .....	3
<i>COMMUNITY RESOURCES FOR READERS/AUDIENCE</i> .....	4
<i>ONLINE RESOURCES</i> .....	5
ISSUES	
<i>HOMICIDE</i> .....	9
<i>DOMESTIC VIOLENCE</i> .....	13
<i>STALKING</i> .....	17
<i>SEXUAL ASSAULT</i> .....	19
<i>SEXUAL HARASSMENT</i> .....	23
<i>CHILD ABUSE</i> .....	25
<i>ELDER AND ADULT ABUSE</i> .....	29
GLOSSARY .....	31
RECOMMENDATIONS FROM JOURNALISTS	
<i>TIPS AND TOOLS: A GUIDE FOR JOURNALISTS</i> .....	35
<i>TIPS ON INTERVIEWING</i> .....	38
<i>INTERVIEWING VICTIMS - TIPS AND TECHNIQUES</i> .....	43
<i>MINIMIZE HARM</i> .....	48



# INTRODUCTION



---

# INTRODUCTION

---

*By Steve Varnum, former journalist, Concord Monitor*

The building blocks of news reporting are accuracy, clarity and context.

Sounds easy enough, until you try to do it. A reporter's task is to gather, filter, condense and interpret information from multiple (and sometimes hostile or contradictory) sources while, as former Time editor Henry Anatole Grunwald said, "the echoes of wonder, the claims of triumph and the signs of horror are still in the air."

Or, as columnist Ellen Goodman put it, "In journalism, there has always been a tension between getting it first and getting it right."

And did anyone mention doing it all over again the next day? On a completely different topic? One that the reporter began the day knowing nothing about?

As if that is not enough tension, reporters assigned to cover the crimes of domestic violence, sexual assault, child abuse and other violent crimes, are blanketed by several more layers.

- ▶ There may be no "crime scene" to describe.
- ▶ The crime is unlikely to have been witnessed by anyone outside of the home, so facts are elusive and may be buried in the murk of counter-accusations.
- ▶ The victims may be in hiding or unwilling to be interviewed.
- ▶ Information about child abuse victims is, by law, confidential.

And those are just the external factors. No less weighty are the inner conflicts of reporters, editors and photographers who work these stories: Where is the line between telling what happened and gratuitous detail? Will what I write cause more harm to the victim? Is it even my role to think about protecting the victim? Isn't this "family stuff," and shouldn't family stuff be kept personal?

Tension can get in the way of good news reporting on incidents of violence. When two researchers from the Dart Center for Journalism and Trauma at the University of Washington School of Communication analyzed a year of newspaper reporting about domestic violence deaths they found that the stories:

- ▶ Seldom labeled the killings as domestic violence.
- ▶ Seldom placed the killings in the context of a history of psychological or physical abuse.
- ▶ Too often found excuses for the death that clouded the history of interpersonal violence.
- ▶ Offered little or no expert information about the reality of domestic violence.
- ▶ Rarely offered the voices of people who had experienced domestic violence, either as direct victims or as family members.

Dart Center Executive Director Roger Simpson, who co-authored *Covering Violence: An Ethical Guide to Reporting about Victims and Violence*, explained in a commentary why these omissions were important.

“Domestic violence often includes physical injury, of course, and often long before a fatal injury. But the relentless control of the victim by the perpetrator may also wound the brain and the emotional system, but leave no evidence of a physical injury. The traumatic injuries may be delivered over time, draining the will to resist and denying the victim the resilience of recovery. **When that part of the (domestic violence) experience is more widely recognized, we will try less often to explain such deaths as ‘unexplainable.’**”

These things are true, not only in reporting domestic violence but may be applied to the other forms of violence addressed in this guide.

The chapters that follow contain facts and figures about several elements of violent crimes, New Hampshire and online resources, a glossary of often-used terms, and tips from journalism pros.

Our goal is to give news reporters and editors tools they can use to tell the stories of these crimes and the people involved in them with accuracy, clarity and context. There’s nothing we can do to change deadlines, but together we can tip the Ellen Goodman scale toward “getting it right.”

This guide will be updated periodically, and we welcome your suggestions and criticisms. Please send them to:

New Hampshire Governor’s Commission  
on Domestic and Sexual Violence  
c/o Attorney General’s Office  
33 Capitol Street  
Concord, New Hampshire 03301  
(603) 271-3671

# **CONTACTS/ RESOURCES**



---

# STATEWIDE SPOKESPERSON CONTACTS

---

## **NH Coalition Against Domestic and Sexual Violence**

P. O. Box 353

Concord, NH 03302-0353

**Grace Mattern**, Executive  
Director

Work: (603) 224-8893, ext. 304

mattern@nhcadsv.org

**Vicky Jaffe**, Public Relations  
Coordinator

Work: (603) 224-8893, ext. 311

Fax: (603) 228-6096

E-mail: [vjaffe@nhcadsv.org](mailto:vjaffe@nhcadsv.org)

## **State Office of Victim/Witness Assistance**

### **NH Attorney General's Office**

33 Capitol Street

Concord, NH 03301-6397

**Sandra Matheson**, Director

Work: (603) 271-3671

Fax: (603) 223-6282

E-mail:

[sandi.matheson@doj.nh.gov](mailto:sandi.matheson@doj.nh.gov)

## **Children's Alliance of NH**

2 Greenwood Avenue

Concord, NH 03301

Public Policy Director

Work: (603) 225-2264

## **CASA (Court Appointed Special Advocates) of NH**

P.O. Box 1327

Manchester, NH 03105-1327

**Marcia Sink**, Executive Director

Work: (603) 626-4600

E-mail: [m\\_sink@casanh.org](mailto:m_sink@casanh.org)

## **Children's Lobby**

### **Child and Family Services of NH**

99 Hanover St.

Manchester, NH 03105-0448

**Jack Lightfoot**, Director

Work: (800) 640-6486 or (603)

668-1920, ext. 145

Home: (603) 497-2327

[LightfootJ@cfsnh.org](mailto:LightfootJ@cfsnh.org)

**Kat Strange**, Communications  
Director

Work: (800) 640-6486 or (603)

668-1920, ext. 153

[StrangeK@cfsnh.org](mailto:StrangeK@cfsnh.org)

## **Crimes Against Children Research Center**

University of New Hampshire

20 College Rd.

#126 Horton Social Science  
Center

Durham, NH 03824

**Dr. David Finkelhor**, Director

Work: (603) 862-2761

E-mail: [david.finkelhor@unh.edu](mailto:david.finkelhor@unh.edu)

## **Department of Psychology University of New Hampshire**

10 Library Way

Durham, NH 03824

**Vicki Banyard, Ph.D.**, Associate  
Researcher on consequences and  
prevention of interpersonal  
violence

Work: (603) 862-2869

E-mail:

[Victoria.banyard@unh.edu](mailto:Victoria.banyard@unh.edu)



---

## COMMUNITY RESOURCES FOR READERS/AUDIENCE

---

Major crime stories provide an opportunity to increase reporting and community awareness of the resources available to victims by including the following, when possible, as relevant to the story:

***DOMESTIC VIOLENCE/STALKING:*** Victims, their families, friends and neighbors can access New Hampshire's statewide Domestic Violence Hotline at **1-866-644-3574** for support and information.

***SEXUAL ASSAULT:*** Victims, their families, friends and neighbors can access New Hampshire's statewide Sexual Assault Hotline at **1-800-277-5570** for support and information.

***CHILD ABUSE:*** Anyone suspecting child abuse is required by state law to report it to the Division for Children, Youth and Families at **1-800-894-5533** in New Hampshire or **603-271-6562** from out of state. Reports can be made anonymously. Before 8:00 am, after 4:30 pm, and on weekends, reports should be made to local law enforcement.

***ELDER AND INCAPACITATED ADULT ABUSE:*** Anyone suspecting abuse or neglect of elderly and incapacitated adults, 18 years of age or older, is required by state law to report it to the Bureau of Elderly and Adult Services at **1-800-949-0470** in New Hampshire or **603-271-7014** from out of state. Reports can be made anonymously. Before 8:00 am, after 4:30 pm, and on weekends, reports should be made to local law enforcement.

---

# ONLINE RESOURCES

---

## STATEWIDE ONLINE RESOURCES

New Hampshire Department of Justice – Homicide

[www.nh.gov/nhdoj](http://www.nh.gov/nhdoj)

New Hampshire Domestic Violence Fatality Report, 2004

[www.nh.gov/nhdoj](http://www.nh.gov/nhdoj)

New Hampshire Coalition Against Domestic and Sexual  
Violence [www.nhcadsv.org](http://www.nhcadsv.org)

Reach Out NH.Com – A New Hampshire website on Sexual  
Assault and Teen Dating Violence [www.reachoutnh.com](http://www.reachoutnh.com)

New Hampshire Commission for Human Rights – Sexual  
Harassment [www.nh.gov/hrc/](http://www.nh.gov/hrc/)

New Hampshire Commission on the Status of Women  
[www.nh.gov/csw/](http://www.nh.gov/csw/)

Children's Alliance of New Hampshire [www.ChildrenNH.org](http://www.ChildrenNH.org)

New Hampshire Task Force on Child Abuse and Neglect  
[www.nh.gov/nhdoj](http://www.nh.gov/nhdoj)

The New Hampshire Children's Trust Fund/Prevent Child  
Abuse New Hampshire [www.nhctf.org](http://www.nhctf.org)

New Hampshire Division for Children, Youth and Families  
[www.dhhs.state.nh.us/dhhs/dcyf/default](http://www.dhhs.state.nh.us/dhhs/dcyf/default)

New Hampshire Child and Family Services [www.cfsnh.org](http://www.cfsnh.org)

New Hampshire Elderly and Adult Services  
[www.dhhs.state.nh.us/dhhs/beas/default](http://www.dhhs.state.nh.us/dhhs/beas/default)

## NATIONAL ONLINE RESOURCES

U.S. Department of Justice, Bureau of Statistics

[www.ojp.usdoj.gov/bjs](http://www.ojp.usdoj.gov/bjs)

### HOMICIDE

National Parents of Murdered Children and Other Survivors of  
Homicide (POMC & OSOH) [www.pomc.com](http://www.pomc.com)

### DOMESTIC VIOLENCE

Family Violence Prevention Fund [www.endabuse.org](http://www.endabuse.org)

National On line Resource Center on Violence Against Women  
[www.vawnet.org](http://www.vawnet.org)

National Coalition Against Domestic Violence [www.ncadv.org](http://www.ncadv.org)

National Network to End Domestic Violence [www.nnedv.org](http://www.nnedv.org)

National Center for Victims of Crime [www.ncvc.org](http://www.ncvc.org)

## **STALKING**

Stalking Resource Center [www.ncvc.org/src/](http://www.ncvc.org/src/)

National Domestic Violence Hotline [www.ndvh.org](http://www.ndvh.org)

Department of Justice Violence Against Women Office  
[www.ojp.usdoj.gov/vawo](http://www.ojp.usdoj.gov/vawo)

Prevalence and Health Consequences of Stalking [www.cdc.gov](http://www.cdc.gov)

Violence Against Women Stalking Information  
[www.vaw.umn.edu/library/stalk/](http://www.vaw.umn.edu/library/stalk/)

## **SEXUAL ASSAULT**

National Sexual Violence Resource Center [www.nsvrc.org](http://www.nsvrc.org)

International Association of Forensic Nurses [www.iafn.org](http://www.iafn.org)

National On Line Resource Center on Violence Against Women  
[www.vawnet.org/](http://www.vawnet.org/)

Rape, Abuse and Incest National Network [www.rainn.org](http://www.rainn.org)

For statistics related to sexual assault [www.ojp.gov:80/ovc/ncvrw/2005/pg50l](http://www.ojp.gov:80/ovc/ncvrw/2005/pg50l)

## **SEXUAL HARASSMENT**

The Equal Employment Opportunity Commission [www.eeoc.gov](http://www.eeoc.gov)

Halt Abuse.org - a site entirely devoted to Internet harassment  
[www.haltabuse.org](http://www.haltabuse.org)

The Harris Poll [www.harrisinteractive.com](http://www.harrisinteractive.com)

United States Department of Defense [www.defenselink.mil/news/fact\\_sheets/sxhas95.ppt](http://www.defenselink.mil/news/fact_sheets/sxhas95.ppt)

## **CHILD ABUSE**

National Clearinghouse on Child Abuse and Neglect Information (NCCANCI)

<http://nccanch.acf.hhs.gov/index.cfm>

Child Welfare League of America [www.cwla.org](http://www.cwla.org)

Prevent Child Abuse America [www.preventchildabuse.org](http://www.preventchildabuse.org)

Safe Children and Healthy Families 2005 Resource Community Guide (NCCANCI) [http://nccanch.acf.hhs.gov/topics/prevention/prev\\_packet\\_2005.pdf](http://nccanch.acf.hhs.gov/topics/prevention/prev_packet_2005.pdf)

Long Term Consequences of Neglect (NCCANCI)  
[http://nccanch.acf.hhs.gov/pubs/factsheets/long\\_term\\_consequences.cfm](http://nccanch.acf.hhs.gov/pubs/factsheets/long_term_consequences.cfm)

**ELDER ABUSE**

National Center on Elder Abuse [www.elderabusecenter.org](http://www.elderabusecenter.org)

National Institute on Aging [www.nia.nih.gov](http://www.nia.nih.gov)

National Women's Health Information Center [www.4woman.gov](http://www.4woman.gov)

**OTHERS**

The Poynter Institute online [www.poynter.org](http://www.poynter.org)

Society of Professional Journalists [www.spj.org](http://www.spj.org)

DART Center for Journalism and Trauma [www.dartcenter.org](http://www.dartcenter.org)

Michigan State University School of Journalism  
[www.victims.jrn.msu.edu](http://www.victims.jrn.msu.edu)

Wellesley Centers for Women [www.wcwonline.org](http://www.wcwonline.org)



# ISSUES



---

# HOMICIDE

---

## WHAT IS HOMICIDE?

Criminal homicide occurs when a person purposely, knowingly, recklessly or negligently causes the death of another. Homicide devastates the lives of family members, friends, neighbors, co-workers, and acquaintances of the murdered victim.

While the term “survivor” describes the circumstances that family members enter following the homicidal death of a loved one, the term generally used to describe the level and intensity of their reactions is “co-victims” of homicide. In the aftermath of the murder, it is the co-victim who deals with the medical examiner, the criminal or juvenile justice system, and the media.

In order to understand the breadth and depth of the effects of homicide, it is necessary to recognize the specific elements associated with homicidal deaths that distinguish the impact on surviving family members from other forms of dying. They include:

- ▶ ***The intent to harm*** – One of the most distinguishing factors between homicidal death and other forms of dying is the intent of the murderer to harm the victim.
- ▶ ***Stigmatization*** – Society often places blame on murdered victims for their own death, which translates into blame on the victim’s family when it is believed that they should have controlled the behavior that led to the death.
- ▶ ***Media and public view*** – Co-victims are unable to grieve in private and are quickly put into public view through the media’s coverage of the crime.
- ▶ ***Criminal or juvenile justice system*** – Co-victims of homicide are thrust into the often complex and frustrating legal system, coming into contact with the defendant and being exposed to the traumatic details of the crime in the courtroom.
- ▶ ***Bereavement*** – Traumatic grief over homicidal death distinctly differs from other forms of grief, both in its intensity and its duration.

## STATISTICS

- ▶ In 2002 there were 16,204 homicides in the United States or a rate of 5.6 per 100,000 population.  
*U.S. Department of Justice, Bureau of Justice Statistics, 2003*

- ▶ Based on national data for the years 1976 to 2002, African Americans are disproportionately represented as both victims and offenders. They are six times more likely to be victimized and 7 times more likely to commit homicide than are whites (Ibid).
- ▶ Males represent three-quarters of homicide victims and nearly 90% of offenders. In terms of rates per 100,000, males are 3 times more likely to be killed, and almost 8 times more likely to commit homicide than are females (Ibid).
- ▶ Approximately one-third of murder victims and almost half the offenders are under the age of 25. For both victims and offenders, the rate per 100,000 peaks in the 18 to 24 year-old age group (Ibid).
- ▶ In New Hampshire, from 1990 to 2003, there were a total of 280 homicides. Of these 133 or 48% were domestic violence related. Of the domestic violence related homicides, 86% were committed by men, while 62% of the victims were female. 49% of the total homicides involved firearms.  
*New Hampshire Governor's Commission on Domestic and Sexual Violence, Domestic Violence Fatality Review Committee, Fourth Annual Report, May 2004.*

## NEW HAMPSHIRE HOMICIDE LAWS

The New Hampshire homicide statute, RSA 630, defines the various degrees of the crime, each carrying a range of penalties. The entire statute can be found at [www.gencourt.state.nh.us/rsa/html/indexes/630.html](http://www.gencourt.state.nh.us/rsa/html/indexes/630.html)

Degrees of homicide include:

- ▶ **Capitol murder**, which is punishable by death.
- ▶ **First degree murder**, which has a mandatory life sentence.
- ▶ **Second degree murder**, punishable by any term the court may order up to life imprisonment.
- ▶ **Manslaughter**, which is punishable by imprisonment for a term of not more than 30 years.
- ▶ **Negligent homicide**, which is punishable by 3 ½ to 7 years.

In the State of New Hampshire, all homicide cases, excluding negligent homicides, are prosecuted out of the Homicide Unit of the Attorney General's Office. In all but the major cities, the Major Crime Unit, within the New Hampshire Department of Safety



State Police, investigates homicide cases. Negligent homicides, which include most vehicular homicides, are prosecuted out of the 10 County Attorney's Offices and are investigated by the local police departments.

The Attorney General's Office of Victim/Witness Assistance provides direct services and support in all of the state's homicide cases, from death notification through the criminal justice process. For information call 1-603-271-3671. Website: [www.nh.gov/nhdoj](http://www.nh.gov/nhdoj)



---

# DOMESTIC VIOLENCE

---

## WHAT IS DOMESTIC VIOLENCE?

Domestic Violence is a pattern of coercive behavior that is used to gain power and control over another. It may include emotional and verbal abuse, physical violence, sexual assault, or stalking.

Domestic Violence can involve intimidation, shouting, harming or threatening to harm children or pets, name-calling, pushing, slapping, choking, and other violent or intimidating behaviors. Rarely a one-time occurrence, domestic violence often escalates in frequency and severity over time.

Abusers batter to control and dominate their victims. Violence is a behavioral choice for which the batterer must take responsibility. No language or other act is provocation or justification for violent behavior.

Domestic violence knows no boundaries, and occurs among all socio-economic, cultural, religious and occupational groups, regardless of sexual orientation or age.

Victims stay in battering relationships for numerous reasons. A victim may love the batterer and believe him/her when the batterer says he/she will change. Due to threats batterers make, victims may be afraid for their own and their children's safety if they leave. Other reasons victims stay include financial dependence, lack of housing, and impaired self-esteem.

## STATISTICS

- In 2002, 19% of women and 3% of men were victimized by their intimate partners.

*Bureau of Statistics from the U.S. Department of Justice, 2003*

- In 2004, more than 8,000 people sought domestic violence support from the New Hampshire Coalition member crisis centers throughout the state. Of the total 8,297 people, 7,869 were adult victims (7,526 women and 343 men), 151 were child victims and 277 were child witnesses to domestic violence in their households.

*New Hampshire Coalition Against Domestic and Sexual Violence Statistics, 2004*

- From 1990 to 2003, a total of 280 homicides occurred in New Hampshire; 48% were domestic violence-related. In those 14 years, the number of homicides has ranged from

a low of 13 (2002) to a high of 35 in 1991. The percentage of homicides that are related to domestic violence has ranged from a low of 21% in 1997 to a high of 73% in 2000. *New Hampshire Governor's Commission on Domestic and Sexual Violence, Domestic Violence Fatality Review Committee, Fourth Annual Report, May 2004.*

- 86% of domestic violence homicides were perpetrated by men from 1990 to 2003 and 14% of the perpetrators were women, which is consistent with national data regarding the gender breakdown for perpetrators of domestic violence homicide (Ibid).

## **NEW HAMPSHIRE DOMESTIC VIOLENCE LAWS**

New Hampshire's domestic violence laws are under RSA 173-B. The entire statute can be found at [www.gencourt.state.nh.us/rsa/html/indexes/173-B.html](http://www.gencourt.state.nh.us/rsa/html/indexes/173-B.html)

Under 173-B “abuse” is defined as 1. the commission or attempted commission of one or more of the following acts by a family or household member or current or former sexual or intimate partner (that includes dating partners) **and** 2. where such conduct constitutes a credible threat to the plaintiff's safety.” The acts covered include assault or reckless conduct, criminal threatening, sexual assault, interference with freedom (restraining someone against his/her will), destruction of property, unauthorized entry (entering a home without permission), and harassment. The law protects a victim even if she or he is a minor.

This entitles the victim to apply for a protective order, a court order that requires the person abusing the victim to stay away from her/him. There are three kinds of Protective Orders (*also see protective orders under Stalking*):

- **A Temporary Protective Order** does many of the same things as an emergency telephonic protective order and is good until a hearing is held. The hearing must be held within 30 days of the filing of the order or within 10 days of the order being served on the defendant, whichever comes later. A defendant may request an expedited hearing, which shall be held no less than three and no more than five business days after the request is received. At the hearing, the court will determine whether to terminate the order or extend it for up to one year.
- **A “Permanent or Final” Protective Order** is granted for up to a year. The abuser has the right to a hearing in court to argue against the issuing of a permanent protec-

tive order. This order may be extended for another year, after a hearing, upon the petitioner's request. If a second extension is necessary, it may be granted for up to five years. (*Effective August 21, 2005*)

- **An Emergency Telephonic Protective Order** is an order that is granted in cases where there is an "immediate and present danger of abuse," and the court is closed. The court may issue emergency protective orders by telephone or fax. An emergency protective order may include language restraining the abuser from abusing the victim and/or family, from entering the victim's home, from calling the victim, from contacting the victim at work, school, or any place the victim and/or family regularly go, from withholding the victim's property, and it can place limits on visitation if there are children involved. An Emergency Telephonic Order can only be issued when the court is closed. The order is only good until the court closes at the end of the next business day. To have the protection provided by the order extended, the victim must file a Temporary Protective Order on the first business day following the issuance of the Emergency Telephonic Order.

**DOMESTIC VIOLENCE:** Victims, their families, friends and neighbors can access New Hampshire's statewide **Domestic Violence Hotline at 1-866-644-3574** for support and information. For information on teen dating violence [www.reachoutnh.com](http://www.reachoutnh.com)

## HOW TO FILE A DOMESTIC VIOLENCE PETITION

A domestic violence petition can be sought in any court in New Hampshire, except the Supreme Court. The petition package is usually four-to-eight pages long. Different courts in different counties use different forms, though the actual petition is the same in every county in the state.

**The first page** is the petition itself. This is what the judge will be reading and making his/her decision on. The plaintiff fills out the requested information for both parties at the top of the form and the clerk fills in the case/docket number. The plaintiff also addresses the court and states why he/she is seeking an order of protection and asks the court to act based on the petition.

**The second page** is the defendant information sheet, which is sent to the police to help them in serving the defendant the paperwork from the court.

**The third page** is also about the defendant. The plaintiff fills out information about other places the defendant may be found to be served notice of the order.

**The fourth page** contains the plaintiff's **confidential** contact information for use by the court only.

**The last page of the petition package is a safety plan.** Safety plans are suggestions and ideas on how to keep the victim safe now and in the future.

Once all the forms are filled out and returned to the clerk, the petition will be presented to the judge. The judge may or may not ask to speak with the victim. The judge either grants the temporary order or s/he will deny it. If granted, the defendant must be served notice of the order and will have the opportunity to appear before a final order is issued. The defendant may request that a hearing be held within 5 days. The victim must return to court (generally within 30 days) for the hearing. If a final order is granted, then it is good for up to a year.

The petitioner can refile with any subsequent incident.

***Everything in a temporary or "permanent/final" protective order is public record as soon as it is filed, with the exception of the plaintiff's address and contact information.***

---

# STALKING

---

## WHAT IS STALKING?

Stalking is defined in the National Violence Against Women Survey as “harassing or threatening behavior that an individual engages in repeatedly, such as following a person, appearing at a person’s home or place of business, making harassing phone calls, leaving written messages or objects, or vandalizing a person’s property.” These actions may or may not be accompanied by a credible threat of serious harm, and may or may not be precursors to an assault or murder.

## STATISTICS

- ▶ 1 in 12 women and 1 in 45 men will be stalked in their lifetime;
- ▶ 77% of female and 64% of male victims know their stalker;
- ▶ 87% of stalkers are men; and,
- ▶ If stalking involves intimate partners, the average duration of stalking is over two years.

*The National Center for Victims of Crime Statistics, National Violence Against Women Survey, 1998*

According to a 1997 phone survey of 4,446 female students at 223 colleges and universities:

- ▶ Slightly more than 13% of college women answered “yes” when asked if “anyone from a stranger to an ex-boyfriend repeatedly followed you, watched you, phoned, wrote, e-mailed, or communicated with you in other ways that seemed obsessive and made you afraid or concerned for your safety” in the previous seven months, a rate more than twice that of the general population of women.
- ▶ In 83% of the stalking cases on college campuses, victims do not report the incidents to law enforcement, though more than 93% of the time they confide in someone, usually a friend.

*National Institute of Justice and the Bureau of Justice Statistics Sponsored Study, 2000*

- ▶ In 2004, 541 stalking victims (470 women and 71 men) sought help from New Hampshire Coalition crisis centers throughout the state.

*New Hampshire Coalition Against Domestic and Sexual Violence Statistics, 2004*

## NEW HAMPSHIRE STALKING LAWS

The New Hampshire Stalking law is under RSA 633:3-a. The complete statute can be found at [www.gencourt.state.nh.us/rsa/html/indexes/633.html](http://www.gencourt.state.nh.us/rsa/html/indexes/633.html)

Under the statute it is against the law to:

- ▶ Purposely, knowingly, or recklessly engage in a course of conduct targeted at a specific person which would cause a reasonable person to fear for his or her personal safety or the safety of a member of the person's immediate family, and the person is actually placed in such fear; or
- ▶ Purposely or knowingly engage in a course of conduct targeted at a specific individual, which the actor knows will place that individual in fear for his or her safety or the safety of that individual's immediate family; or
- ▶ After being served with, or otherwise provided notice of, a domestic violence protective order, a protective order, or stalking order, or a bail order that prohibits contact with a specific individual, purposely, knowingly or recklessly engage in a single act of contact that violates the provisions of the order and is listed in RSA 633:3-a, II-a.

***Course of Conduct*** means two or more acts over a period of time, however short, which shows a continuity of purpose.



---

# SEXUAL ASSAULT

---

## WHAT IS SEXUAL ASSAULT?

Sexual assault is any sexual activity that is done without the other person's consent, whether through force, manipulation, or coercion. Anyone can become a victim of sexual assault, and sexual violence transcends every socio-economic, cultural, gender, sexual orientation, age, physical ability, mental development and religious classification.

Sexual assault also occurs when the victim is incapable of giving consent by virtue of mental illness, mental retardation, intoxication, or being under the age of consent (16 years old in New Hampshire)

Sexual Assault has short and long-term physical and mental health effects that make recovery difficult. The offender may be a stranger to the victim, but most often the offender is someone the victim knows. The offender may be an acquaintance, friend, partner, parent or other family member, which may make the sexual assault even more traumatic. Sexual assault is against the law, regardless of when or where it occurs, or the gender of the victim or perpetrator.

## STATISTICS

- ▶ 1 in 6 women and 1 in 33 men in the United States has experienced an attempted or completed rape at some time in their lives. In 8 out of 10 rape cases, the victim knew the perpetrator.  
*National Violence Against Women Survey, 2000*
- ▶ One in seven or 13.7% of adult women in New Hampshire have been victims of sexual assault in their lifetimes.  
*Kilpatrick, D.G. & Ruggiero, K.J. (2003). Rape in New Hampshire: A Report to the State. National Violence Against Women Prevention Research Center, Medical College of South Carolina.*
- ▶ Less than 30% of sexual assaults are reported each year.  
*U.S. Department of Justice, Bureau of Justice Statistics 2002*
- ▶ A majority of "undetected rapists" (men who are not in prison, but who have self-reported their crimes) average more than five sexual assaults each. These findings mirror those from studies of incarcerated sex offenders, indicating high rates of repeat sexual assault.

Springer Publishing Company, by David Lisak and Paul M. Miller, 2002

- In 2004, 1,588 people sought help related to sexual assault, incest and/or sexual harassment from New Hampshire Coalition crisis centers.

*New Hampshire Coalition Against Domestic and Sexual Violence Statistics, 2004*

## **NEW HAMPSHIRE SEXUAL ASSAULT LAWS**

The New Hampshire Sexual Assault laws are under RSA 632-A. The complete statute can be found at [www.gencourt.state.nh.us/rsa/html/indexes/632-A.html](http://www.gencourt.state.nh.us/rsa/html/indexes/632-A.html)

Under the sexual assault statute, RSA 632-A there are three levels of sexual assault:

- **Aggravated Felonious Sexual Assault (AFSA)** is defined as sexual penetration, however slight, into a bodily opening of the victim or the perpetrator without consent or when the victim is less than 13 years old. A person is also guilty of AFSA without penetration when he or she touches the genitalia of a person under the age of 13 for the purpose of sexual gratification or arousal.

AFSA is a felony punishable by a maximum of 10 to 20 years in state prison and includes lifetime registration as a sexual offender.

- **Felonious Sexual Assault (FSA)** has four varieties:
  - Sexual penetration with a person age 13, 14 or 15 and the age difference between the victim and the offender is over 3 years. This is often referred to as “statutory rape.”
  - Sexual contact with a person under age 13 for the purpose of sexual arousal or gratification. Sexual contact may include touching of the sexual or intimate parts such as breasts, buttocks, or the anal area.
  - Sexual contact by a corrections officer or probation/parole officer when the victim is incarcerated or on probation/parole. Coercion must be shown for this to be a felony.
  - Sexual contact under an aggravating circumstance causing serious personal injury.

FSA is a Class B felony punishable by a maximum of 3.5 to 7 years in state prison and includes lifetime registration as a sexual offender.

- **Sexual Assault** is a Class A misdemeanor punishable by a maximum of 12 months in the house of corrections. Misdemeanor sexual assault has three varieties:

- Non-consensual sexual contact with a person 13 years old or older for the purpose of sexual gratification. A conviction for this form of misdemeanor sexual assault requires registration as a sex offender for a period of 10 years.
- Sexual contact or penetration with a person who is between the ages of 13 and under 16, where the age difference between the perpetrator and the victim is 3 years or less. Lack of consent is not required to be shown under this form of misdemeanor sexual assault. Conviction for this form of sexual assault does not require registration as a sexual offender.
- Sexual contact or penetration where the perpetrator is in a position of authority over the victim, such as a probation/parole officer or corrections officer. Coercion and lack of consent is not required to be shown under this form of misdemeanor sexual assault. A conviction for this form of sexual assault requires registration as a sex offender for a period of 10 years.

**SEXUAL ASSAULT:** Victims, their families, friends and neighbors can access New Hampshire's statewide **Sexual Assault Hotline** at: **1-800-277-5570** for support and information. [www.reachoutnh.com](http://www.reachoutnh.com)



---

# SEXUAL HARASSMENT

---

## WHAT IS SEXUAL HARASSMENT?

Based on judicial decisions, the Equal Employment Opportunity Commission has defined sexual harassment as unwelcome verbal or physical conduct of a sexual nature where 1) an individual's rejection of such conduct – or submission to it – is used as a basis for employment decisions that affect the employee, or 2) the unwelcome conduct is a term or condition of the individual's employment (a quid pro quo), either implicitly or explicitly, or 3) the unwelcome conduct interferes with the employee's work performance or creates an intimidating, hostile, or offensive working environment.

According to 9 to 5, the National Association of Working Women, sexual harassment includes, but is not limited to, unwanted suggestive comments on a person's appearance, unwanted touching or other physical contact, unwanted sexual jokes or comments, unwanted sexual advances, and unwanted exposure to pornographic material.

Sexual harassment occurs outside of the workplace as well, and can affect children in school who are harassed by other students or by teachers or other adults.

## STATISTICS

### **Workplace**

- In 2004, the Equal Employment Opportunity Office received 13,136 charges of sexual harassment. 15.1% of those charges were filed by males.

*U.S. Equal Employment Opportunity Commission*

### **Schools**

- In a 2001 national survey of 2,064 public high school students, 83% of girls and 79% of boys in grades 8 through 11 reported having experienced sexual harassment. More than one in four students reported experiencing it often.  
*American Association of University Women Educational Foundation, Hostile Hallways: Bullying, Teasing, and Sexual Harassment in School, 2001*
- Girls were more likely than boys to feel “self-conscious” (44% versus 19%), “embarrassed” (53% versus 32%), and less confident (32% versus 16%) because of an incident of

sexual harassment. Girls were also more likely than boys to change behaviors in school or at home as a result of sexual harassment. Examples of modified behavior include less talking in class (30% of girls and 18% of boys), and avoiding the harasser (56% of girls and 24% of boys) (Ibid).

- ▶ 35% of students who had been sexually harassed reported that their first experience of sexual harassment was in elementary school (Ibid).

### ***Military***

- ▶ 52% of female respondents in the military reported experiencing unwanted behavior they considered to be sexual harassment.

*U.S. Department of Defense Survey, 1995*

- ▶ Of those who experienced unwanted behavior,
- ▶ 88% of female respondents said it occurred on base, 74% said at work, and 77% said during duty hours (Ibid).
- ▶ 44% of female respondents said military co-workers were perpetrators, 43% said military of higher rank/grade were the perpetrators (Ibid).

### **NEW HAMPSHIRE SEXUAL HARASSMENT LAWS**

Under New Hampshire's Title XXX I, Chapter 354-A, regarding the State's Commission for Human Rights, which handles sexual harassment allegations, harassment on the basis of sex constitutes unlawful sex discrimination. The complete statute can be found at [www.gencourt.state.nh.us/rsa/html/indexes/354-A.html](http://www.gencourt.state.nh.us/rsa/html/indexes/354-A.html)

Unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- ▶ Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- ▶ Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- ▶ Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

---

# CHILD ABUSE

---

## WHAT IS CHILD ABUSE?

Child abuse is a term that is used generally to cover all forms of child abuse and neglect, and specifically to refer to an act that has physically and/or psychologically injured a child under age 18. New Hampshire recognizes four forms of child abuse:

- ▶ **Physical abuse** is harm to a child caused intentionally or from excessive or inappropriate discipline methods.
- ▶ **Emotional abuse** is psychological injury to a child caused by excessive belittling, berating, name-calling, or similar acts. It might also include parents not securing needed psychological treatment for a child.
- ▶ **Sexual abuse** is improper sexual contact with — or any form of sexual exploitation of — a child or youth, including incest or the making of pornography.
- ▶ **Neglect** is the failure to provide a child with basic needs of food, shelter, hygiene, medical attention, supervision or education as required by law. It may also involve abandonment, parental drug or alcohol abuse, or a parent's incarceration or hospitalization.

*New Hampshire Department of Health and Human Services, "A Community Guide to Reporting Child Abuse and Neglect," 2003.*

Physical consequences can range from relatively minor, such as a bruise or cut, to more serious conditions like impaired brain development and poor health, to severe injuries and even death.

The immediate psychological effects of abuse and neglect – isolation, fear, and a lack of trust – can spiral into long-term mental health consequences that include depression and anxiety, low self-esteem, difficulty establishing and maintaining relationships, eating disorders and suicide attempts.

*Children's Bureau, "Safe Children and Healthy Families are a Shared Responsibility," Community Resource Packet, 2005*

Studies have found that abused or neglected children are at least 25% more likely to experience problems in adolescence, including delinquency, pregnancy, drug use and low academic achievement. As adults, children who experienced abuse or

neglect have an increased likelihood of criminal behavior, involvement in violent crime, abuse of alcohol and other drugs, and abusive behavior.

*National Clearinghouse on Child Abuse and Neglect Information, "Long-Term Consequences of Child Abuse and Neglect"*

## **STATISTICS**

- ▶ Of the 14,000 children assessed for suspected child abuse each year in New Hampshire, only about 1,000 (or 3% of children in the state) are found to have been abused or neglected.

*National Clearinghouse on Child Abuse and Neglect Information, "Child Maltreatment 2002," 2004*

- ▶ In New Hampshire, as across the United States, most of what is called "child abuse" is actually neglect. 60% of child abuse victims in New Hampshire have been neglected, with physical and sexual abuse each claiming about 21% of victims, medical neglect about 3%, and emotional abuse 2% (some victims are abused in multiple ways) (Ibid).
- ▶ That number represents the children whose abuse has been reported to authorities, so the actual incidence of abuse is believed to be much higher – particularly among infants and toddlers. Young children cannot verbalize what they are experiencing, and infants and toddlers are less likely to be seen and identified as abused by the caregivers and other professionals who most frequently report abuse.  
*Children's Alliance of New Hampshire, "A Safe Home for Every Child," 2004*
- ▶ Boys and girls are equally likely to be abused. Nationally, nearly 2,500 children each day are victims of abuse or neglect. About 1,400 die each year as a result of their maltreatment (Ibid).  
*U.S. Department of Health and Human Services, 2003*
- ▶ The most largely victimized age group is the youngest, from birth to age 3, with a rate of 16.4 per 1,000 children of the same age group. The rate per 1,000 for ages 4 to 7 is 13.8; for ages 8 to 11, the rate is 11.7; ages 12 to 15, the rate is 10.7 per 1,000 and, the rate for 16 to 17 year olds is 5.9 per 1,000 (Ibid).



## NEW HAMPSHIRE CHILD PROTECTION LAWS

New Hampshire's extensive child protection laws are contained in RSA 169-C, known as the Child Protection Act and are available online at [www.gencourt.state.nh.us/rsa/html/indexes/169-C.html](http://www.gencourt.state.nh.us/rsa/html/indexes/169-C.html)

Specific crimes against children can be prosecuted under the relevant criminal statutes.

New Hampshire has a **mandatory child abuse reporting law**, which states that all persons having a reason to suspect that a child has been abused or neglected shall make a report to the State of New Hampshire's Division for Children Youth and Families (DCYF). Under the law "any person who knowingly violates this law and fails to report such abuse may be found guilty of a misdemeanor". Reports should be made to the Division for Children, Youth and Families at **1-800-894-5533** in New Hampshire or **1-603-271-6562** from out of state. The report may be made anonymously.



---

# ADULT AND ELDER ABUSE

---

## WHAT IS ADULT AND ELDER ABUSE?

Many elders and other adults with disabilities are often dependent on caregivers to assist them with activities of daily living. These individuals are vulnerable to abuse and neglect by those they entrust with their care. The abuse may include; physical abuse, harassment, emotional abuse, neglect that deprives the adult of needed service or support, sexual abuse or exploitation. Abuse may occur in a number of places including the adult's home, a nursing home, group living home, or in a relative's home.

## STATISTICS

- ▶ The 2003 National Center of Elder Abuse study reported that family members were the perpetrators in 9 out of 10 substantiated incidences of elder abuse and neglect. Adult children were the most likely perpetrators of abuse and neglect. Further, of all elder victims, those over the age of 80 had higher incidence of neglect while those 60 to 70 years old had higher incidence of physical, emotional, and financial abuse than all other age groups.

*National Center of Elder Abuse Study, 2003*

- ▶ Research consistently shows that women with disabilities, regardless of age, race, ethnicity, sexual orientation or class, are assaulted, raped, and abused at a rate two times greater than women without a disability.

*Sobsey and Cusitar, 1994, Disabled Women's Network*

- ▶ The risk of being physically or sexually assaulted for adults with developmental disabilities is four to ten times higher than it is for other adults (Ibid.).
- ▶ In New Hampshire State Fiscal Year 2004, 2,130 reports of alleged adult abuse, neglect, exploitation, and self-neglect were received statewide, 1,470 or 69% involved alleged victims who were 60 years of age and over. The most frequently reported age range was between 80 and 89 and four individuals were over 100 years of age. The most frequently reported relationship of the reported perpetrator to the alleged victim involved a relative (617) and of the relatives reported, 141 were adult daughters, 125 were adult sons, 90 were husbands and 45 were wives. Of the

total number of reports, 962 involved self-neglect, 340 neglect, 321 emotional abuse, 244 physical abuse, 220 exploitation and 43 sexual abuse.

*New Hampshire Adult Protective Services Statistics for fiscal year 2004.*

## **NEW HAMPSHIRE ADULT AND ELDER ABUSE LAWS**

In 1978, New Hampshire was one of the first states to enact an Adult Protective Services Law, which covers individuals age 18 and over who are incapacitated. The entire statute, RSA 161:F, can be found at [www.gencourt.state.nh.us/rsa/html/indexes/161-F.html](http://www.gencourt.state.nh.us/rsa/html/indexes/161-F.html)

According to the law, adults are incapacitated when their physical, mental, or emotional ability renders them unable to act or delegate responsibility to a responsible caretaker or caregiver.

The law, which is civil and not criminal law, has remedy as its focus, as stated in the purpose section, “The purpose of this law is to provide protection for incapacitated adults who are abused, neglected or exploited. Implicit is the philosophy that whenever possible an adult’s right to self-determination should be preserved...”

New Hampshire has a **mandatory elderly and incapacitated adult abuse reporting law**, which states that all persons having a reason to suspect that an elderly or incapacitated adult has been abused or neglected shall make a report to the State of New Hampshire’s Bureau of Elderly and Adult Services. Under the law “any person who knowingly violates this law and fails to report such abuse may be found guilty of a misdemeanor.” Reports should be made to the Bureau of Elderly and Adult Services at **1-800-949-0470** in New Hampshire or **1-603-271-7014** from out of state. The report may be made anonymously. Before 8:00 am, after 4:30 pm, and on weekends, reports should be made to local law enforcement.

# GLOSSARY



---

## GLOSSARY

---

**Abuser** – A person who harms or threatens to harm another by physical, emotional, sexual or verbal abuse.

**Accuser** – Sometimes used in referring to a victim. The preferred terminology is *victim*, *alleged victim* or *survivor*.

**Acquaintance rape** – An umbrella term used to describe sexual assaults in which the survivor and the perpetrator know each other. Previously known as “*date rape*”.

**Advocate** – A person who assists crime victims by providing emotional support, counseling, referrals and/or explanation of the services and options available to them.

**Child abuse** – When any person under age 18 is harmed by having been sexually abused, physically injured intentionally or by other than accidental means, or psychologically injured and exhibiting symptoms of emotional problems generally recognized to result from consistent mistreatment or neglect.

**Child neglect** – When a child under age 18 has been abandoned or is not being sufficiently cared for by her or his parents, guardian, or custodian.

**Child sexual abuse** – Any act in which a person and a child under age 18 engage in or simulate any sexually explicit conduct under circumstances that indicate that the child's health or welfare is harmed or threatened with harm.

**Civil case** – An action brought to enforce, redress or protect private rights. In general, all types of actions other than criminal proceedings.

**Consent** – To give permission or approval.

**Co-victim** – Term used for family members of a homicide victim used to describe the level and intensity of their reactions. Also known as *survivors* or *victims*.

**Course of conduct** – Two or more acts over a period of time, however short, which shows a continuity of purpose.

**Criminal case** – A case brought against a defendant by the “State of New Hampshire” as the plaintiff. In a criminal case, a defendant who is found guilty may be incarcerated.

**Crisis center** – An agency that primarily offers assistance to victims of domestic violence and/or sexual assault and their families and provides 24-hour crisis intervention; support

during the police investigation, and court proceedings; referrals to and coordination with other services; peer counseling; training programs for law enforcement, hospital, legal and social service personnel; public education; and court advocacy.

**Cross orders for relief** – Separate court orders, granted when two or more people have filed domestic violence petitions following the same incident or incidents, which restrains both parties from abusing the other. Used only when the court finds that each party has committed abuse against the other; and the court cannot determine who is the primary aggressor.

**Defendant** – The person against whom relief or recovery is sought in an action or suit, or the accused in a criminal case.

**Domestic violence/abuse** – A pattern of actual, attempted or threatened physical, sexual, verbal, emotional, or financial abuse between present or former intimate partners, family or household members, when the conduct threatens another person's safety or well-being.

**Emergency telephonic orders** – When shown that there is an immediate and present danger of abuse, a court may enter temporary orders by telephone or facsimile to protect the victim with or without notifying the abuser. Emergency temporary orders are effective until the close of the next regular court business day.

**Foster home** – A licensed home or facility that cares for children who have been removed from their family homes.

**Incest** – A sexual act between people who are closely related or who perceive themselves as being closely related (in-laws, step-siblings and stepparents). In addition to physical sexual contact this can include voyeurism, masturbation in front of a child, suggestive talk, provocative photography, exposing oneself, etc.

**Intimate partner** – A current or past spouse, boyfriend or girlfriend, or someone a person has dated, whether the relationship was consummated or not.

**Legal supervision** – A status created by court order that allows a child to remain in her or his family home, but under the supervision of a child-placing agency. In New Hampshire, child-placing agencies include the state Division for Children, Youth and Families and private agencies Child and Family Services, Casey Family Services, and Catholic Charities.

**Pattern of sexual assault** – More than one sexual assault on the same victim over a period of two or more months and within a period of 5 years.

**Perpetrator** – Generally, this term denotes the person who actually commits a crime.

**Probable cause** – Reasonable grounds to believe that an accused person has committed a crime.

**Protective order** – An order that an abuser must stay away and refrain from abusing a victim, issued by a district or superior court in the county or district where the victim resides. Also known as a *restraining order*.

**Protective supervision** – The status of a child who has been placed with a child placing agency pending a hearing to determine whether the child has been abused or neglected.

**Rape** – Not a legal term in New Hampshire. Also known as *sexual assault*.

**Restraining Order** – Also known as a *protective order*.

**Safety plan** – A personal plan created for a victim to make the victim safer and help her or him prepare for and avoid future violence.

**Sexual assault** – Non-consensual, forced, manipulated, or coerced sexual activity. Sexual assault also occurs when the victim is incapable of giving consent by virtue of mental illness, mental retardation, intoxication, or being under the age of consent, which in New Hampshire is 16 years old. Also known as *rape*.

**Sexual contact** – Intentionally touching, directly or through clothing, another person's sexual or intimate body parts.

**Sexual harassment** – Unwanted and unwelcome sexual behavior that interferes with an individual's life, work or education. May include comments on a person's appearance or dress, sexually suggestive or explicit jokes, unwanted sexual overtures, staring and other behavior designed to make someone uncomfortable, and unwanted touching anywhere on a person's body, including bumping into and brushing up against them. This behavior can include acts that create a hostile environment.

**Sexual Assault Nurse Examiner (SANE)** – A Registered Nurse who has been specially trained to provide comprehensive care to sexual assault survivors, and who demonstrates competency in conducting a medical/forensic examination and the ability to be an expert witness.

**Sexual penetration** – Includes sexual intercourse, cunnilingus, fellatio, anal intercourse, any intrusion of any object or any part of one person's body into other's genital or anal openings, any intrusion of any part of the victim's body into genital



or anal openings of the perpetrator's body, and any act which forces, coerces or intimidates a person to perform any of these acts on another person, or on himself or herself.

**Shelter** – A safe place available to victims and their children where they can stay for a limited period of time. Shelters in New Hampshire are operated by domestic violence crisis centers, which offer a variety of support services.

**Stalking** – A crime committed when a person, on more than one occasion, follows, contacts, intimidates or harasses another person with the intent to make that person afraid or in ways that would make a “reasonable person” afraid.

**Survivor** – Another term for victim that is sometimes used by advocacy groups to acknowledge the strength of a person who endures trauma. Not every individual refers to herself or himself as a survivor. When interviewing people who have been victimized, reporters are encouraged to use the term preferred by the individual. Also known as *victim*.

**Teen dating violence** – Hurtful or unwanted behavior forced by a dating partner or former dating partner. Includes physical, emotional and psychological abuse. Teen dating violence often begins with jealousy and extreme possessiveness and is characterized by the need of one partner to control every aspect of the other partner's life.

**Victim** – A person who suffers direct or threatened physical, emotional or psychological harm as a result of the actions of another person. Not every individual refers to herself or himself as a victim, some prefer to be called a survivor. When interviewing people who have been victimized, reporters are encouraged to use the term preferred by the individual. Also known as *survivor*.

**Victim/witness assistance program** – A program within a prosecutor's office, designed to provide support, answer questions, make referrals and explain the criminal justice process to victims and witnesses of crime.

**Violence Against Women Act (VAWA)** – Federal legislation (originally signed into law in 1994 and reauthorized in 2000) to provide funding for and to improve criminal justice and community based responses to domestic violence, dating violence, sexual assault and stalking and other violent crimes against women, in the United States.

**Warrant** – A written order from the judge that authorizes a law enforcement officer to make an arrest.

# **RECOMMENDATIONS FROM JOURNALISTS**



---

# **TIPS AND TOOLS: A GUIDE FOR JOURNALISTS**

---

## **DOMESTIC VIOLENCE**

- ▶ Use accurate language: Rape or assault is not “sex” – even when the attacker is the victim’s spouse.
- ▶ Avoid language that suggests the victim is somehow to blame for the crime.
- ▶ Avoid undue focus on the socio-economic status or ethnicity of the victim or perpetrator: domestic violence is a public health problem that crosses all lines of race, class, and culture.
- ▶ Domestic violence is, in general, poorly understood by the public and under-reported by mainstream media. Take the opportunity to inform your readers with statistics and context.
- ▶ It may take time to build trust with victims and family members. Explain the type of story you’re planning to write. Show old clips of stories you’re proud of.
- ▶ Consider letting victims read portions of your story before publication. After reading – and seeing evidence of your intentions – they may decide to share more of their story with you.
- ▶ When describing the assault, try to strike a balance when deciding how much graphic detail to include. Too much can be gratuitous; too little can weaken the victim’s case.
- ▶ Include information that can help others avoid assault.
- ▶ Provide contact information for agencies that assist survivors and families.

## **SEXUAL VIOLENCE**

- ▶ Use accurate language: Rape or assault is not “sex.” A pattern of abuse is not an “affair.”
- ▶ Avoid language that suggests the victim is somehow to blame for the crime.
- ▶ It may take time to build trust with victims and family members. Explain the type of story you’re planning to write. Show old clips of stories you’re proud of.

- ▶ Consider letting victims read portions of your story before publication. After reading – and seeing evidence of your intentions – they may decide to share more of their story with you.
- ▶ When describing the assault, try to strike a balance when deciding how much graphic detail to include. Too much can be gratuitous; too little can weaken the victim's case.
- ▶ Include information that can help others avoid assault.
- ▶ Provide contact information for agencies that assist survivors and their families.

## **CHILDREN AND TRAUMA**

- ▶ Children are not miniature adults. Be aware of the impact witnessing traumatic events can have on children. Children are more vulnerable to trauma because of their size, age and dependence. Prior trauma, past mental health problems or a family history of such problems may increase a child's risk.
- ▶ Traumatized children may want to tell their story, but it may not be in their best interests to be interviewed, and in some circumstances it can exacerbate their exposure to trauma.
- ▶ Have a parent and/or mental health professional present when interviewing a child or teen.
- ▶ Most states have confidentiality laws that seal the records of children. Sometimes reporters can get around this roadblock by acquiring copies of the documents directly from guardians, lawyers, therapists or case workers (*note: In many states, doing so is illegal*).
- ▶ Consider running a sidebar with information about the possible effects of trauma on children.

## **HOMICIDE**

- ▶ Preoccupation with the accused and the grisly details of the crime can romanticize the crime and the killer, and can make your coverage one-dimensional.
- ▶ Instead, focus on the life of the victim and the effects of the murder on the victim's family and friends.
- ▶ During trial and sentencing, even though the courtroom events are the "news," don't ignore the victim's family and friends.

- ▶ When crafting the lead of your story, consider putting the victim's name first.
  - Jury selection was scheduled to begin today for the final person facing murder charges in the death of **Rachel Burkheimer**.
  - **John Alan Whitaker**, 23, of Everett is charged with aggravated murder and conspiracy to commit first-degree murder. If convicted, he faces life in prison without release.
- ▶ Sensitivity in your reporting and writing can help build trust between you and your sources.

The victim's family and friends might be reluctant to speak with you in the weeks following the crime; but months later, they may feel like sharing their stories with a reporter who has treated them respectfully.

- ▶ Try to provide context for your readers. How common are murders in your town or neighborhood? Avoid letting stereotypes drive your writing and reporting.

*Excerpts from [www.dartcenter.org/tipstools/domestic\\_violence.html](http://www.dartcenter.org/tipstools/domestic_violence.html)*

# TIPS ON INTERVIEWING

---

*Quotes are excerpts from the book Covering Violence  
by Roger Simpson and William Cote.*

## **Respect the other person's efforts to regain balance after a horrible experience.**

"Offer as much support to the interviewee as conditions will allow. Suggesting that the interviewee ask a friend, neighbor, or relative to be present may reassure her/him and may help the two of you talk more usefully."

## **Watch what you say.**

"At this stage your words carry a lot of weight. They can lead the victim to seek promises from you, to exaggerate what you will be able to do, and to assume that you are willing to be a friend as well as a reporter...Your manner and your first words will tell the other person whether he should trust you and how sincere you are. Those first impressions may decide whether you are ever again able to interview that person."

## **Set the stage for the interview.**

"Your first questions will provide you with two kinds of information. The first kind - details of the other person's knowledge of the situation - will help you begin to grasp what has happened... As you talk, you will be learning about the other person's capacity, or willingness, to talk to you."

## **Explain the ground rules.**

"Explain why you are there, what kind of story you are expected to write or report, when it is likely to run, and why it is important for her/him to speak to you. Do not promise something you cannot guarantee; the comments you are about to write down or tape may never make it into print or on the air."

## **Share control with the interviewee.**

"A person jolted by an event may need, and will certainly appreciate, a chance to decide some of the conditions of the interview. Would s/he like to sit or stand? Does s/he want to remain here or go somewhere away from the turmoil of the scene? Is there someone he would like to have present during the interview?"

**Anticipate emotional responses.**

Referring to the words of psychiatrist Frank Ochberg: “When survivors cry during interviews, they are not necessarily reluctant to continue. They may have difficulty communicating, but they often want to tell their stories. Interrupting them may be experienced as patronizing and denying an opportunity to testify. Remember, if you terminate an interview unilaterally, because you find it upsetting, or you incorrectly assume that your subject wants to stop, you may be re-victimizing the victim.”

**Listen.**

“Good listening requires hearing not only the words that are spoken and making sense of them but also noticing gestures, facial expressions, emotions, and body language. Take the other person fully into account, then remember and make sense of what that person heard and saw.”

**Review with the interviewee what you have learned.**

“This is the time to go back over the facts, to read back statements that you may want to quote, and to arrange to obtain photographs, continue the interview, or check back for other information.”

**Think through what you have heard and seen.**

“The interview you have just completed was not a routine one. Think about what made it different. The person with whom you talked was enduring one of the most trying experiences in life. Such an interview can alter many of the assumptions journalists make about the people they talk to. Issues of trust, harm, and responsibility to others emerge from such meetings to a degree unmatched in most news interviewing. This is a time for a few moments of reflection about what you have just heard and seen.”



Journalists should also think about how follow-up interviews may affect their subjects. Often traumatic events are visited and revisited, and victims and survivors are contacted for interviews and asked to talk about the past again. These could occur during anniversaries of traumatic events (school shootings, a bombing, and other violent crimes) or during criminal or civil trials. The same kind of consideration should be shown to interviewees during these times as immediately after a traumatic event (e.g., listening, sharing control, etc.). People may still be recovering from their trauma. Journalists might focus

on the recovery process rather than on the event itself. In any case, they should be perceptive to the needs and responses of the interviewee. Early signs of interviewee anxiety might be a time to ask how the interviewee is doing and help make the situation more comfortable. Empathy toward the interviewee is helpful.

An inclination to “over-empathize,” however, may not be professional. Simpson and Coté write that “some reporters eagerly identify with those who survive violence because of a personal history of abuse, sexual assault, or other traumas. That identification becomes so strong that the reporter ignores professional boundaries in order to become a confidant and even advocate. A skilled reporter needs to concentrate on understanding and reporting events accurately; deep emotional connections to people in those stories can undermine those goals. Yet we would agree with those who say a reporter sometimes can be very helpful to a victim or family member. But we believe that the best results for everyone occurs when the reporter understands his/her own needs and is sensitive to signs of trauma and growing distress in others.”

The bottom line is that a journalist needs to be both self-aware and aware of the impact that trauma has on others. This understanding can help the journalist tell a traumatic story knowledgeably and with appropriate sensitivity.

## **BASIC EMPATHY SKILLS FOR POST-TRAUMATIC INTERVIEWING SITUATIONS**

Empathy is the capacity to participate in another’s sensations, feelings, thoughts, and movements. The first and foremost requirements for skilled empathic interviewing are:

- ▶ Interest
- ▶ Attentiveness
- ▶ Caring
- ▶ Self-containment
- ▶ Freedom from expectations or judgments
- ▶ Respect

## **POSSIBLE EMPATHIC RESPONSES**

Sometimes it is helpful to have cues to work from in learning empathic responding, which may be very different from general interviewing strategies. The following cues are offered to give examples of empathic interviewing strategies:

- ▶ “From what you’re saying, I can see how you would be....”



- ▶ “So what you’re saying is....”
- ▶ “Let me just check something. Do you mean you’re...”
- ▶ “It sounds like you’re saying....”
- ▶ “You seem really....”

### **SUPPORTIVE COMMENTS**

- ▶ “You must be...”
- ▶ “I can understand you feeling..”
- ▶ “It sounds really hard...”
- ▶ “It sounds like you’re being hard on yourself...”
- ▶ “I would imagine you’d be feeling really \_\_\_\_\_ right now...”

### **COMMENTS ON EMOTIONAL TONE**

- ▶ “It seems like it’s hard for you to have feelings about this....”
- ▶ “It seems like you are pretty numb right now...”

### **ASKING FOR DETAILS OR CLARIFICATION**

(gets the person to slow down and stay with the situation or the feelings)

- ▶ “So let’s go back a minute....”
- ▶ “I noticed that you are rushing through this a bit...”
- ▶ “It seems hard to stay with this...”
- ▶ “I don’t get it... What do you mean they...?”
- ▶ “Could it be...”
- ▶ “I wonder if....”

### **MOVING INTO END OF INTERVIEWING SESSION**

- ▶ “It is such a tough thing to go through something like this.”
- ▶ “I’m really sorry this is such a tough time for you.”
- ▶ “I know of a website that might be helpful for you...”

### **PURPOSES OF EMPATHIC RESPONDING**

- ▶ Some individuals are deep within themselves and need to be drawn out by asking for clarification, gently mirroring and reflecting what has been said.
- ▶ Some individuals are overly expressive and needy, and may need to have you establish a working distance by remaining neutral, not getting drawn into “rescuing,” making “it sounds like...” statements. You cannot help if you are engulfed.

- ▶ Shows you care and that you understood the other person. Not to pry, but to increase the person's sense of themselves in the present moment.
- ▶ If you have misunderstood, the talker can immediately correct your impressions. You learn more about people.
- ▶ It lets the talker know that you (the listener) accept him/her invites him/her to tell his/her story.

*Excerpts from [www.dartcenter.org](http://www.dartcenter.org)*

---

---

# INTERVIEWING VICTIMS - TIPS & TECHNIQUES

---

---

*By Sue Carter and Bonnie Bucqueroux*

It is never easy to approach a victim of violence or catastrophe to ask for an interview, but timing does make a difference. There are the specific concerns involved in interviewing someone suffering the psychophysiological consequences of an immediate shock.

Then there are the challenges posed in approaching a person who may be suffering the lingering effects of trauma, anger and grief. It also makes a difference whether the incident was the result of intentional human cruelty versus an accident or a random act of nature.

While it is true that each situation is different, reporters are well served by the advice to approach victims and their families and friends with dignity, respect, care and compassion. There are also specific tips and techniques that can make reporting on victims less daunting and less likely to inflict a “second wound” on people who are struggling to deal with what has happened to them.

## **ATTITUDE, TONE AND EXPRESSIONS OF CONCERN**

When approaching victims of violence or catastrophe, remember to switch gears out of investigative reporter mode. Investigating a scandal or corruption often requires being relentless and finding the courage to ask the toughest questions. But when dealing with victims of violence or catastrophe, getting a good story - or getting the story at all - may well depend on your ability to develop rapport and trust. At a recent conference, a young college reporter seemed proud of calling a rape victim to ask whether she had lied about the attack. What he failed to realize was that this not only hurt her, but it cost him any hope of an interview.

Don't be afraid to open the conversation with, “I'm sorry for your loss,” or “I'm sorry for what happened to you.” Even if those remarks sound canned to you, chances are that the victims will appreciate hearing them. Moreover, it is better to stick with a rehearsed comment than to risk blurting out something that may be unintentionally hurtful.

But being considerate does not mean that you suspend all disbelief. A “victim” such as Susan Smith, who was ultimately discovered to have murdered her own two children, reminds us that reporters must always maintain their professional skepticism. The challenge is not to let skepticism become cynicism, since that can translate into a lack of compassion and concern. The wisest course is to extend the benefit of doubt to a victim, until or unless proved otherwise.

## **BREAKING NEWS**

The challenges inherent in breaking news multiply exponentially when the situation requires that you must ask a victim, a witness or a family member or friend suffering through shock and horror for an interview. In fact, some would argue that no one should intrude on the mother who has just learned that her child has been murdered, or the dazed survivor who narrowly escaped before his home burned down.

Yet it is the duty of the reporter to offer the person the chance to say yes or no. Many people will not want to be interviewed - some may well scream or even become abusive when approached by a reporter. But your goal should be to provide those who want to talk the opportunity to do so, and that means explaining to them the mission or rationale for speaking:

- ▶ ***Celebrate the life*** – In these cases, your mission is not to dwell on the death but to honor the loved one’s life. It is appropriate to inform families that an interview will allow your article or broadcast to go beyond facts already on the record or those provided by the police or hospital officials. You can also explain that others in similar circumstances have found news coverage is helpful in communicating information, including specifics about arrangements, to co-workers and acquaintances.
- ▶ ***Warn the community of the danger*** – Victims, family and friends may be willing to be interviewed when they understand that this provides an opportunity to help others avoid victimization.
- ▶ ***Tell their side*** – There are times when a victim may want to put his or her version on the record – the warning light wasn’t flashing, the attacker threatened to kill her if she called police. Many victims complain that initial articles contained glaring errors of fact that they were never given the opportunity to correct at the time.

- ▶ ***Illustrate an important issue*** – As the culture tries to grapple with issues of violence, on the street, in homes, and at the workplace, the stories of victims help us understand the dynamics that allow such problems to persist. Remember, however, that victims of violence often feel guilty. The domestic violence victim feels shame because she didn't leave. The rape victim thinks she should have known the man she was dating would turn violent. You are not violating your oath of objectivity to assure such victims that it was the perpetrator and not the victim who was at fault.
- ▶ ***Share human feeling and experience*** – We are a can-do people who revere success, but this should never mean that victims are portrayed as losers. Bad things do indeed happen to good people, and victims can rightfully remind us of the fragility and vagaries of life.
- ▶ **A few don'ts:**
  - ***Avoid any hint of blackmail or coercion*** – Victims often report being acutely aware of undue pressure. Never say, "Tell me about your daughter or I will be forced to get my information elsewhere."
  - ***Watch what you say at the scene*** – Reporters, like other first responders such as police and emergency medical personnel, sometimes indulge in black humor to cope with their own trauma. The danger, of course, is that family and friends could overhear those insensitive remarks and that could easily cost you an interview (and the witnesses' respect for you and your news organization).

## **FOLLOW-UP STORIES**

While much of the same advice offered above applies to stories done later, the dynamics are different because the initial shock has passed. With breaking news, victims can literally be scared speechless, but do not be lulled into thinking that the effects of trauma simply disappear with the passage of time. A few words about:

- ▶ ***Trial coverage*** – Victims often feel suspects and perpetrators receive undue amounts of media attention, while the victims are ignored. Many also feel that the coverage is distorted by spotty coverage. In their view, piecemeal coverage risks putting the victim on trial.
- ▶ ***Anniversary and update stories*** – It is a mistake to assume that victims do not suffer pain 10, 20 or even 50

years after the incident. The anniversary itself often stirs up troubling feelings, so be prepared when asking for and conducting an interview.

- ▶ ***Unsolved crimes*** – Try to make it your policy never to run a story about an unsolved crime without notifying the victim or the family first. Particularly in the case of murder, surviving family members feel blindsided when they are not warned that a story will appear about a new suspect or as part of a feature on unsolved crimes.
- ▶ ***A special word on terminology*** – Victims who have had a chance to think about their experience often have strong feelings about “loaded” words such as victim, survivor, and closure. Ask if they mind being called a victim. Many victims bristle at being asked if they have achieved closure - the implication is that they are a failure if they say no, and many would argue that you may someday forgive but will never forget. A better question might be, “How do you feel about the question of closure?”

## **APPROACHING VICTIMS**

Victims who find themselves struggling to cope with what are likely the worst days of their lives have had power and control wrenched from their hands. As a reporter, your goal should be to help them regain a sense of mastery, so that they can better communicate with you. The following checklist can help:

- ▶ ***Know what you are going to say*** – Before you pick up the telephone or knock on the door, outline points to make and words or issues to avoid.
- ▶ ***Make sure the family has been notified*** – Even when you have official assurances that notification of death or serious injury has taken place, remember that, in today’s world of fractured families, you might inadvertently be the bearer of this news to someone who has not yet been told. Always plan in advance what you will say and do if that happens - have a plan for follow-up verification and try to make sure that the person is not left alone while you help sort out what happened.
- ▶ ***First impressions*** – Leave your equipment behind, whether that means the camera and lights of broadcast or the notebook or tape recorder for print reporters. If appropriate, wear casual clothes. Announce who you are and the news organization you represent, and then express your regrets before you attempt to explain your mission. Offer a

business card with the assurance that the person can reach you to correct any mistakes, or to talk later.

- ▶ **Discuss ground rules** – After you explain the purpose of the story, provide your best estimate of the time required for the interview. If appropriate, offer a suggestion about the place, and ask the person for other suggestions. Tell the person how to let you know if they need a break, if they want the lights turned off, or if they want their remarks kept out of the coverage. You might want to bring water and tissues. Make sure that victims know you are there as a reporter, not as their friend, but that your goal is to help them tell their stories – and tell them the way that they want to.
- ▶ **Suggest alternatives and other sources** – If they are unwilling to talk, ask them if there are other family members, clergy, friends, neighbors or co-workers who could talk knowledgeably. Even if they grant an interview, don't forget to ask them for a list of others who should speak as well.
- ▶ **Thank them for their time and effort** – Reliving a trauma takes a toll. Tell victims how much you appreciate their willingness to share their stories with us.

*This article originally appeared in Quill magazine*

*Excerpts from [www.victims.jrn.msu.edu/public/articles/nashwill.html](http://www.victims.jrn.msu.edu/public/articles/nashwill.html)*

---

## MINIMIZE HARM

---



Ethical journalists treat sources, subjects and colleagues as human beings deserving of respect.

Journalists should:

- ▶ Show compassion for those who may be affected adversely by news coverage.
- ▶ Use special sensitivity when dealing with children and inexperienced sources or subjects.
- ▶ Be sensitive when seeking or using interviews or photographs of those affected by tragedy or grief.
- ▶ Recognize that gathering and reporting information may cause harm or discomfort. Pursuit of the news is not a license for arrogance.
- ▶ Recognize that private people have a greater right to control information about themselves than do public officials and others who seek power, influence or attention. Only an overriding public need can justify intrusion into anyone's privacy.
- ▶ Show good taste. Avoid pandering to lurid curiosity.
- ▶ Be cautious about identifying juvenile suspects or victims of sex crimes.
  - Be judicious about naming criminal suspects before the formal filing of charges.
  - Balance a criminal suspect's fair trial rights with the public's right to be informed.

*Excerpts from [http://www.spj.org/ethics\\_code.asp](http://www.spj.org/ethics_code.asp)*



This project was supported by Grant No. 2005-WF-AX-0048 awarded by the Violence Against Women Grants Office, Office of Justice Programs, US Department of Justice and administered by the New Hampshire Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the US Department of Justice.